

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Tania Sanchez
DOCKET NO.: 03-29472.001-C-1
PARCEL NO.: 16-35-406-025-0000

The parties of record before the Property Tax Appeal Board are Tania Sanchez, the appellant, by attorney Edward P. Larkin of Park Ridge; and the Cook County Board of Review.

The subject property is improved with a part one-story and part two-story building of masonry construction. The building was constructed in stages with part of the building being 111 years old and part of the building being 79 years old. The improvement contains approximately 3,500 square feet of building area. The property is located in Chicago, South Chicago Township, Cook County.

The appellant in this appeal submitted documentation to demonstrate that the subject property was improperly assessed. The appellant submitted a brief explaining the subject property has been misclassified as a class 5-17 building, which is a one-story commercial building under the Cook County Real Property Assessment Classification Ordinance and assessed at 38% of market value. The appellant's brief explained the first floor of the subject property is used as a storefront with two apartments above. The appellant contends the subject should be classified under the Cook County Real Property Assessment Classification Ordinance as either a 2-11 property (an apartment building with 2 to 6 units over 62 years of age) or a 2-18 property (a mixed use commercial/residential building with apartment and commercial area totaling 6 units or less with a square foot area less than 20,000 square feet). Under the

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$	2,912
IMPR.:	\$	11,777
TOTAL:	\$	14,689

Subject only to the State multiplier as applicable.

classification ordinance class 2 property is to be assessed at 16% of market value. The appellant also submitted a plat of survey disclosing the subject property is improved with a part two-story and part one-story building. In addition the appellant submitted copies of pages from the Cook County Assessor's website with a photograph depicting the subject improvement as a two-story building and disclosing the subject had a final 2003 assessment of \$63,972. The appellant further asserted the subject property was purchased in June 2003 for a price of \$145,000. In support of this statement the appellant submitted a copy of a closing statement disclosing the subject property was purchased on June 9, 2003, for a price of \$145,000. The appellant's brief asserts that 5% of the purchase price was for personal property. The appellant argued that the median level of assessments for class 2 property should be applied to the purchase price of the real estate to arrive at the correct assessment of the subject property. Based on this evidence the appellant requested the subject's assessment be reduced to \$11,158.

The board of review did not submit its "Board of Review Notes on Appeal" or any evidence in support of its assessed valuation of the subject property.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Board further finds the evidence in the record supports a reduction in the subject's assessment.

The Board first finds that the subject property is improved with a part two-story and part one-story building. This is supported by the plat of survey and a copy of the photograph of the improvement taken from the Cook County Assessor's website submitted by the appellant. This evidence demonstrates the current classification of the subject property as a class 5-17 one-story commercial building is incorrect.

The appellant further asserted the subject's first floor is used as a commercial establishment with two apartments on the second floor. This argument was not refuted by the board of review. Based on this record the Board finds the subject property should be classified as a class 2-18 mixed use commercial/residential property under the Cook County Real Property Assessment Classification Ordinance.

The Board next finds the subject property was purchased in June 2003 for a price of \$145,000, which is supported by the closing statement submitted by the appellant. A review of the closing statement does not support the appellant's assertion that a 5% deduction should be made to account for personal property associated with the transaction. Therefore the Board finds the subject property had a market value of \$145,000 as of January 1, 2003.

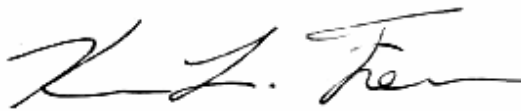
The Property Tax Appeal Board finds the board of review did not submit any evidence in support of its assessment of the subject property or to refute the appellant's argument as required by Section 1910.40(a) of the Official Rules of the Property Tax Appeal Board.

In conclusion, based on this record the Property Tax Appeal Board finds the subject property had a market value of \$145,000 as of the January 1, 2003. Since market value has been determined the 2003 three year median level of assessment for class 2 real estate under the Cook County Real Property Assessment Classification Ordinance of 10.13% as determined by the Illinois Department of Revenue shall apply. 86 Ill.Adm.Code 1910.50(c)(2).

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member

Member

Member

DISSENTING: _____

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: February 29, 2008



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment

of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.